

**MINUTES OF  
FAIRFAX COUNTY PLANNING COMMISSION  
WEDNESDAY, JANUARY 28, 2004**

**UNAPPROVED DRAFT  
Completed 2/26/04**

PRESENT: Walter L. Alcorn, Commissioner At-Large  
John R. Byers, Mount Vernon District  
Frank A. de la Fe, Hunter Mill District  
Janet R. Hall, Mason District  
Suzanne F. Harsel, Braddock District  
James R. Hart, Commissioner At-Large  
Nancy Hopkins, Dranesville District  
Ronald W. Koch, Sully District  
Kenneth A. Lawrence, Providence District  
Rodney L. Lusk, Lee District  
Peter F. Murphy, Jr., Springfield District  
Laurie Frost Wilson, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:18 p.m. by Chairman Peter F. Murphy, Jr.

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**COMMISSION MATTERS**

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY PROPOSED BY OMNIPOINT COMMUNICATIONS/T-MOBILE USA FOR AN ADDITION TO THE EXISTING MONOPOLE LOCATED AT 2455 FOX MILL ROAD IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent for the vote.

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE PUBLIC SAFETY COMMUNICATION FACILITY PROPOSED BY THE FAIRFAX COUNTY DEPARTMENT OF INFORMATION TECHNOLOGY, LOCATED AT 11800 SUNRISE VALLEY DRIVE, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE

CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Alcorn and Wilson absent for the vote.

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ 2003-BR-029, ATLANTIC COAST HOMES, INC., TO A DATE CERTAIN OF FEBRUARY 11, 2004.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Wilson not present for the vote.

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Chairman Murphy noted that this was the last meeting for Fran Burnszynski with the Department of Planning and Zoning, who was leaving to work for Prince William County. He thanked him for his dedicated service to the Commission and to the citizens of Fairfax County.

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RZ 2002-PR-038 - CLOVER TYSONS LIMITED PARTNERSHIP

PCA 81-D-045-4 - GREENSBORO CENTER LIMITED PARTNERSHIP

SEA 82-D-038-4 - GREENSBORO CENTER LIMITED PARTNERSHIP (Decisions Only)

(The public hearing on this application was held on December 10, 2003. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2002-PR-038, SUBJECT TO THE EXECUTION OF THE PROFFERS NOW DATED JANUARY 28, 2004.

Commissioner Byers seconded the motion which carried by a vote of 6-0-5 with Commissioners Hall, Hart, Hopkins, Lusk and Murphy abstaining; Commissioner Alcorn not present for the vote.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION TO THE NON-CORE AREA STREETScape DESIGN CONCEPT, AS PRESENTED IN THE TYSONS CORNER URBAN CENTER PLAN, IN FAVOR OF THAT SHOWN ON THE GDP.

Commissioner Byers seconded the motion which carried by a vote of 6-0-5 with Commissioners Hall, Hart, Hopkins, Lusk and Murphy abstaining; Commissioner Alcorn not present for the vote.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE NORTHWESTERN PROPERTY LINE, THE GREENSBORO DRIVE FRONTAGE.

Commissioner Byers seconded the motion which carried by a vote of 6-0-5 with Commissioners Hall, Hart, Hopkins, Lusk and Murphy abstaining; Commissioner Alcorn not present for the vote.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA 81-D-045-4, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE CONTAINED IN APPENDIX 1B OF THE STAFF REPORT.

Commissioner Byers seconded the motion which carried by a vote of 6-0-5 with Commissioners Hall, Hart, Hopkins, Lusk and Murphy abstaining; Commissioner Alcorn not present for the vote.

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 82-D-038-4, SUBJECT TO THE DEVELOPMENT CONDITIONS CONTAINED IN APPENDIX 2 OF THE STAFF REPORT AND SUBJECT TO THE BOARD'S APPROVAL OF PCA 81-D-045-4.

Commissioner Byers seconded the motion which carried by a vote of 6-0-5 with Commissioners Hall, Hart, Hopkins, Lusk and Murphy abstaining; Commissioner Alcorn not present for the vote.

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Chairman Murphy announced his intention to defer 2232-S03-13, Fairfax County Department of Public Works and Environmental Services and the Fairfax County Department of Family Services, from February 5, 2004 to February 11, 2004.

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Chairman Murphy asked Commissioners to return their 2004 Committee Preference Form to Barbara Lippa, Executive Director of the Planning Commission Office, by this evening. He said he and Vice Chairman Byers would review the requests and provide a final Committee list at the February 5, 2004 meeting.

Chairman Murphy announced that the CIP Committee would meet on Wednesday, February 11, 2004 at 7:30 p.m. in the Board Conference Room.

ORDER OF THE AGENDA

Secretary Harsel pointed out that the following application was the only agenda item scheduled for public hearing:

1. RZ 2003-SP-044 – GURHAN DEMIRKAN

This order was accepted without objection.

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Chairman Murphy relinquished the Chair to Vice Chairman Byers since the following case was in the Springfield District.

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RZ 2003-SP-044 - GURHAN DEMIRKAN - Appl. to rezone from R-1 to R-3 to permit residential development at a density of 1.95 dwelling units per acre (du/ac). Located on the N. side of Silverbrook Rd. 500 ft. W. of Bayberry Ridge Rd. on approx. 1.03 ac. of land. Comp. Plan Rec: .5-1 du/ac. with option for 2-3 du/ac. Tax Map 97-4 ((2)) 7. SPRINGFIELD DISTRICT. PUBLIC HEARING.

Sara V. Kroll, agent for the applicant, with Land Design Consultants, Inc. reaffirmed the affidavit dated September 27, 2003. There were no disclosures by Commission members.

Commissioner Murphy noted that he was going to defer decision on this application after the close of the public hearing.

Fran Burnszynski, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the application.

Ms. Kroll stated that since the Silverbrook Farms assemblage had been rezoned from R-1 to R-3 two years ago, parcel 7, which had not been included, had been sold to the applicant, who now desired to construct two homes on the property. She explained that the applicant had worked meticulously to ensure that the proposed development would mirror the existing Silverbrook Farms community with an extension of the public road through the property, an extension of a trail along the site's frontage, the same landscaping treatments, the same open space, and the same fence detail along Silverbrook Road. In addition, she said the proposed development met the new development criteria, including contributions to the Park Authority and the Housing Trust Fund. She noted that a citizens' meeting had been held with only one person attending and that the applicant had agreed to plant additional evergreen trees on the back of proposed Lot 1 to satisfy his concerns. In conclusion she stated this application was in conformance with the Comprehensive Plan and had staff's support.

In response to a question from Commissioner Wilson, Ms. Kroll stated that as part of the original Silverbrook Farms rezoning, Brookfield Homes, the developer of Phase II, and this applicant had been required to contribute to an escrow account to ensure connection of the sidewalks. She noted that the last developer of the remaining property would be responsible for the final connections.

Commissioner Murphy noted that while the Zoning Ordinance required a 25 foot rear setback, this property had a 27 foot setback. He explained that language in the Zoning Ordinance was specific about what improvements, such as a deck or a patio, could be made with a setback of this size. He stated that before the decision was made next week, he desired to make it clear to the contract purchaser what he could or could not do without applying for a variance from the Board of Zoning Appeals. He suggested the applicant consider a proffer outlining what improvements would be allowed. Ms. Kroll stated she would speak to the applicant about including a proffer which would allow him to add a deck.

In response to a question from Commissioner Wilson, Commissioner Murphy said he was not in favor of having part of the conservation easement included in this lot, but reiterated his desire to ensure that the contract purchaser was fully aware that certain improvements might require approval of a variance. Commissioner Alcorn pointed out that the specifics of the conservation easement had not been worked out yet and might cover part of this lot. Commissioner Hall said she thought it was very important for the contract purchaser to know that the property had limitations as to what improvements could be made.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that rebuttal was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Murphy for action on this case. (A verbatim excerpt is in the date file.)

Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON RZ 2003-SP-044 TO A DATE CERTAIN OF FEBRUARY 11, 2004 WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Hall seconded the motion which carried unanimously.

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Chairman Murphy resumed the Chair.

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ADJOURNMENT

February 26, 2004

The meeting was adjourned 8:52 p.m.

Peter F. Murphy, Jr., Chairman

Suzanne F. Harsel, Secretary

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Karen M. Everett

Approved on:

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Karen M. Everett, Clerk to the  
Fairfax County Planning Commission